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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR-12-70863 MAG
14 Plaintiff,) STIPULATED REQUEST TO CONTINUE
15 v.) HEARING DATE TO DECEMBER 21,
16 FAZIL AHMAD KAYUMY,) 2012 AND TO EXCLUDE TIME UNDER
17 Defendant.) THE SPEEDY TRIAL ACT
18) Hearing Date: December 3, 2012
19) Time: 9:30 a.m.
20)
21)

22 The above-captioned matter is set on December 3, 2012 before this Court for a status
23 hearing. The parties request that this Court continue the hearing to December 21, 2012 at 9:30
24 a.m. and that the Court exclude time under the Speedy Trial Act between December 3, 2012 and
25 December 21, 2012.

26 The misdemeanor charges in this case are out of the Middle District of Georgia. The
27 defense has been discussing Rule 20 resolution of this matter with a prosecutor in that District.
28 The general terms of such an agreement have been discussed and the government is writing up a
29 plea offer. More time is needed by defense counsel for review of discovery and for discussing
30 possible resolution with the defendant once the offer is prepared. The parties agree the ends of
31 justice served by granting the continuance outweigh the best interests of the public and defendant

32 Stip. Req. To Continue Hearing Date and to
33 Exclude Time, No. CR 12-70863 MAG

1 in a speedy trial. Therefore, the parties further stipulate and request that the Court exclude time
2 between December 3, 2012 and December 21, 2012 under the Speedy Trial Act for effective
3 preparation of counsel pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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5 DATED: November 29, 2012

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8 /s/ Andrew Huang
ANDREW HUANG
Assistant United States Attorney
9 Counsel for United States

10 /s/ Ned Smock
NED SMOCK
11 Assistant Federal Public Defender
12 Counsel for Fazil Kayumy

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR-12-70863 MAG
Plaintiff,)
v.) [PROPOSED] ORDER GRANTING
FAZIL AHMAD KAYUMY,) STIPULATED REQUEST TO CONTINUE
Defendant.) HEARING DATE TO DECEMBER 21,
) 2012 AND TO EXCLUDE TIME UNDER
) THE SPEEDY TRIAL ACT
)
)
) Date: December 3, 2012
) Time: 9:30 a.m.
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)

The parties jointly requested that the hearing in this matter be continued from December 3, 2012 to December 21, 2012, and that time be excluded under the Speedy Trial Act between December 3, 2012 and December 21, 2012 to allow for the effective preparation of counsel, taking into account the exercise of due diligence, and continuity of defense counsel. Defense counsel needs additional time to review that discovery and discuss it with the defendant, and perform necessary legal research and investigation. The parties agree the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial. For these stated reasons, the Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial. Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv),

IT IS HEREBY ORDERED that the status hearing in this matter is continued from December 3, 2012 to December 21, 2012 at 9:30 a.m., and that time between December 3, 2012

1 and December 21, 2012 is excluded under the Speedy Trial Act to allow for the effective
2 preparation of counsel, taking into account the exercise of due diligence.

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4 DATED: 11/30/12



5 HON. KANDIS WESTMORE
United States Magistrate Judge

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